

REMARKS

The application includes claims 24-55 prior to entering this amendment.

The examiner accepts the drawings filed on October 9, 2003.

The examiner objects to claim 43 because of informalities that render the claim indefinite.

The examiner rejects claim 49 under 35 U.S.C. § 101 because the claimed invention is directed to nonstatutory subject matter.

The examiner rejects claims 24-55 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 6,633,582.

The applicant amends claims 24, 27-31, 34-36, 38, 40, 43-46, and 48-55 to more clearly point out and distinctly claim the applicants' patentable techniques, and not for any other reason.

The application remains with claims 24-55 after entering this amendment.

The applicants add no new matter and request reconsideration in view of the following remarks.

Claim Objections - Informalities

The examiner objects to claim 43 because of informalities that render the claim indefinite, specifically the use "of the phase 'capable of' in line 6 needs to be deleted since this phase renders the claim indefinite."¹ The applicants here amend this claim to, at least in part, correct or remove the indicated informality.

Claim Objections - 35 U.S.C. § 101

The examiner rejects claim 49 because the claimed invention is directed to nonstatutory subject matter. The applicants here amend this claim, and its dependent claims, according to the examiner's suggestion.

¹ Office Action, page 2.

Double Patenting


Applicants submit a properly executed terminal disclaimer, signed by the undersigned attorney of record, to obviate the examiner's double patenting rejection.

Conclusion

For the foregoing reasons, the applicants request reconsideration and allowance of the remaining claims. The applicants encourage the examiner to telephone the undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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